UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

ANTHONY MARANO COMPANY

Plaintiff

v. : Case No. <u>08CV4244</u>

: Judge Zagel

Magistrate Judge Brown

MS-GRAND BRIDGEVIEW, INC., an Illinois corporation, d/b/a MELROSE FRESH MARKET, PETER LIMPERIS, and MAKIS LIMPERIS

Defendants

JACK TUCHTEN WHOLESALE PRODUCE, INC.

Intervening Plaintiff

٧.

MS-GRAND BRIDGEVIEW, INC., an Illinois corporation, d/b/a MELROSE FRESH MARKET, PETER LIMPERIS, and MAKIS LIMPERIS

Defendants.

NOTICE OF MOTION AND HEARING

MS-Grand Bridgeview, Inc. d/b/a Melrose Fresh Market Serve: Alfred S. Lee, Registered Agent 380 S. Schmale Road, Ste. 102 Carol Stream, IL 60188

Peter Limperis 20180 S. Harlem Avenue Bridgeview, IL 60455

Makis Limperis 10280 S. Harlem Avenue Bridgeview, IL 60455 Lawrence B. Ordower, Esq. Ordower & Ordower, PC One North LaSalle Street, Ste. 1300 Chicago, IL 60602

PLEASE TAKE NOTICE that on Thursday, September 4, 2008, the PLAINTIFF'S MOTION FOR ENTRY OF PRELIMINARY INJUNCTION ORDER was filed, copies of which were served upon you via the court's ECF service and/or overnight delivery.

PLEASE TAKE FURTHER NOTICE that this matter is set to be heard on Tuesday, September 9, 2008, at 10:15 a.m. before the Honorable James B. Zagel at Everett McKinley Dirksen Building, Room 2503, 219 South Dearborn Street, Chicago, IL 60604.

Dated this 4th day of September, 2008. Respectfully submitted,

McCARRON & DIESS

LAW OFFICES OF WILLIAM B. KOHN

By:s/ Mary Jean Fassett

Mary Jean Fassett, ID#9078552 4900 Massachusetts Ave., N.W. Suite 310 Washington, DC 20016 (202) 364-0400 mjf@mccarronlaw.com By: s/ William B. Kohn

William B. Kohn, ARDC #6196142 150 N. Wacker Drive Suite 1400 Chicago, Illinois 60606 (312) 553-1200 kohn@wbkohnlaw.com Attorneys for Intervening Plaintiff Jack Tuchten Wholesale Produce, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on all counsel of record via the Court's CM/ECF system, and via overnight delivery, this 4th day of September, 2008, on the following:

MS-Grand Bridgeview, Inc. d/b/a Melrose Fresh Market Serve: Alfred S. Lee, Registered Agent 380 S. Schmale Road, Ste. 102 Carol Stream, IL 60188

Peter Limperis 10280 S. Harlem Avenue Bridgeview, IL 60455

Makis Limperis 10280 S. Harlem Avenue Bridgeview, IL 60455

> s/ Mary Jean Fassett Mary Jean Fassett